

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	CRIMINAL NO. 05-10202-RWZ
)	
SHELTON TERRY)	
)	

INFORMATION

Pursuant to Title 21, United States Code, Section 851, the government files this Information giving notice that at the sentencing of defendant, SHELTON TERRY that the government will seek increased punishment by reason of the following criminal conviction:

1. Plymouth County Superior Court, docket number 03-0005 count one - Unlawful Possession of a Controlled Substance with Intent to Distribute (Class B - Cocaine); date of conviction 3/3/04.

The conviction is further described in the copy of records of the Plymouth County Superior Court, which are attached heret incorporated herein.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

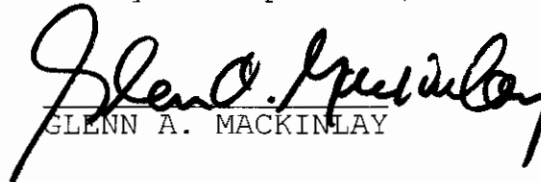
By:


GLENN A. MACKINLAY
Assistant U.S. Attorney

CERTIFICATE OF SERVICE

Plymouth County Superior Court This is to certify that I have
this day served upon the counsel of record for the defendant t
foregoing document by depositing in the United States mail a co
of same in an envelope bearing sufficient postage for delivery

This 13th day of September, 2005.


GLENN A. MACKINLAY

Plymouth, ss. Superior Court Dept.
No 03-00079

Commonwealth of Massachusetts

vs.

Shelton Terry

COPY OF

COMMONWEALTH OF MASSACHUSETTS

PLYMOUTH, SS

SUPERIOR COURT
CRIMINAL No 03-0007

COMMONWEALTH

VS

Shelton Terry

I, Dolores A. Sullivan, Assistant Clerk of the Superior Court Department within and for the County of Plymouth, do hereby certify that the following are true copies of the INDICTMENT(S) and DOCKET ENTRIES in the above-entitled case(s).

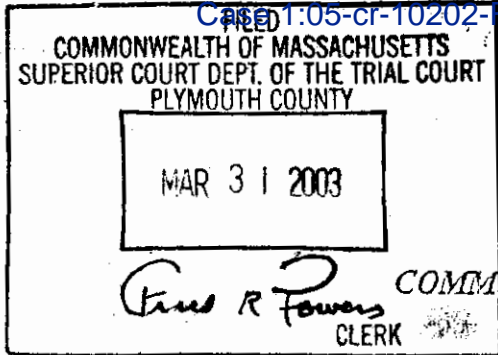
I Further certify that our docket indicates that the above named Defendant was ~~XXXXXX~~ represented by counsel Joseph F. Krowski Jr., Brockton, MA.

IN WITNESS WHEREOF, I have hereunto set
My hand and affixed the seal of said Superior
Court Department, in Brockton this 4th
Day of August, A.D., 2005

Dolores A. Sullivan
Assistant Clerk of Courts



3/31/03 5



PLYMOUTH, SS

SUPERIOR COURT
CRIMINAL NO.
03CL000679-001

03-00679

Commonwealth

VS.

Shelton Terry

CRIMINAL APPEARANCE

An Attorney who has entered an appearance in behalf of a Defendant in a Criminal Case in the Superior Court Department of the Trial Court shall not, except by express leave of Court, withdraw said appearance.

In the above action, I appear:

For the Defendant, Shelton Terry

For the Commonwealth.

Joseph F. Frawley, Jr.
Attorney for Deft/Commonwealth
(Print Name)

Joseph F. Frawley, Jr.
Signature
30 Cottage St.
Brookline MA 02301
508-584-2535
8001090102
Address/Telephone Number

COMMONWEALTH OF MASSACHUSETTS

PLYMOUTH, SS.

SUPERIOR COURT DEPARTMENT
INDICTMENT NO.

03-00079 301

COMMONWEALTH

VS.

SHELTON TERRY

INDICTMENT
UNLAWFUL POSSESSION OF A CONTROLLED SUBSTANCE
WITH INTENT TO DISTRIBUTE
(CLASS B - COCAINE)
GENERAL LAWS CHAPTER 94C, SECTION 32A (c)
COUNT A

At the SUPERIOR COURT, begun and holden at BROCKTON, within and
for the COUNTY of PLYMOUTH, on February 14, 2003 ,

THE JURORS for the Commonwealth of Massachusetts on their oath
present that:

SHELTON TERRY

of BROCKTON in the COUNTY of PLYMOUTH, on or about NOVEMBER 15, 2002,
at BROCKTON in the COUNTY of PLYMOUTH, not being authorized by the
provisions of Chapter 94C of the General Laws, did knowingly or
intentionally manufacture, distribute or dispense, or possess with
intent to manufacture, distribute or dispense, a controlled substance
in CLASS B, to wit: COCAINE.

(See COUNT B)

COUNT B


UNLAWFUL POSSESSION OF A CONTROLLED SUBSTANCE
WITH INTENT TO DISTRIBUTE
(CLASS B - COCAINE)
DRUG FREE SCHOOL ZONE
GENERAL LAWS CHAPTER 94C, SECTION 32J

And the JURORS, aforesaid, for the Commonwealth of Massachusetts
on their Oath, aforesaid, do further present,
That:

SHELTON TERRY

of BROCKTON in the COUNTY of PLYMOUTH, on or about NOVEMBER 15, 2002,
at BROCKTON in the COUNTY of PLYMOUTH, not being authorized by the
provisions of Chapter 94C of the General Laws, and within one thousand
feet of school property comprising a public or private elementary,
vocational, or secondary school, did knowingly or intentionally
manufacture, distribute or dispense, or possess with intent to
manufacture, distribute or dispense, a controlled substance in
CLASS B, to wit: COCAINE.

A TRUE BILL


Foreman of the Grand Jury


Assistant District Attorney

RETURN

PLYMOUTH, SS. On this 14th day of February, 2003, this
indictment was returned and presented to said Superior Court by the
Grand Jury, and ordered to be filed and filed.

ATTEST:


Assistant Clerk

COMMONWEALTH OF MASSACHUSETTS

PLYMOUTH, SS.

SUPERIOR COURT DEPARTMENT
INDICTMENT NO.

03-0007 -003

COMMONWEALTH

VS.

SHELTON TERRY

INDICTMENT
UNLAWFUL POSSESSION OF A CONTROLLED SUBSTANCE
(CLASS D - MARIJUANA)
GENERAL LAWS CHAPTER 94C, SECTION 34

At the SUPERIOR COURT, begun and holden at BROCKTON, within and
for the COUNTY of PLYMOUTH, on February 14, 2003 ,

THE JURORS for the Commonwealth of Massachusetts on their oath
present that:

SHELTON TERRY

of BROCKTON in the COUNTY of PLYMOUTH, on or about NOVEMBER 15, 2002,
at BROCKTON in the COUNTY of PLYMOUTH, not being authorized by the
provisions of General Laws Chapter 94C, did knowingly or intentionall
possess a controlled substance in CLASS D, to wit: MARIJUANA.

A TRUE BILL



Foreman of the Grand Jury


Assistant District Attorney

RETURN

PLYMOUTH, SS. On this 14th day of February, 2003, this
indictment was returned and presented to said Superior Court by the
Grand Jury, and ordered to be filed and filed.

ATTEST:


Assistant Clerk

COMMONWEALTH OF MASSACHUSETTS

PLYMOUTH, SS.

SUPERIOR COURT DEPARTMENT
INDICTMENT NO. *03-0007-004*

COMMONWEALTH

VS.

SHELTON TERRY

INDICTMENT

OPERATING MOTOR VEHICLE AFTER LICENSE SUSPENDED OR REVOKED
GENERAL LAWS CHAPTER 90, SECTION 23

At the SUPERIOR COURT, begun and holden at BROCKTON, within and
for the COUNTY of PLYMOUTH, on February 14, 2003,

THE JURORS for the Commonwealth of Massachusetts on their oath
present that:

SHELTON TERRY

of BROCKTON in the COUNTY of PLYMOUTH, on or about NOVEMBER 15, 2002,
at BROCKTON in the COUNTY of PLYMOUTH, upon a way or a place to which
the public has a right of access as invitees or licensees, did operate
a certain motor vehicle after his license or right to operate had been
suspended or revoked and prior to the restoration of such right or
license to operate or to the issuance to him of a new license to
operate.

A TRUE BILL



Foreman of the Grand Jury


Assistant District Attorney

RETURN

PLYMOUTH, SS. On this 14th day of February, 2003, this
indictment was returned and presented to said Superior Court by the
Grand Jury, and ordered to be filed and filed.

ATTEST:


Assistant Clerk

Commonwealth of Massachusetts

PLYMOUTH SUPERIOR COURT

Case Summary

Criminal Docket

PLCR2003-00079
Commonwealth v Terry, Shelton

File Date	02/14/2003	Status	Disposed (sentenced) (dsenimp)
Status Date	03/03/2004	Session	2 - Criminal 2 - CtRm 2 (Brockton)
Jury Trial	Unknown	Origin	I - Indictment
Lead Case			

Arraignment	02/26/2003	Track	I - Inventory	Final PTC	27/2003
Disp. Deadline	02/26/2004	Deadline Status	Deadline active since return date	Status Date	26/2003
Pro Se Deft	No	Custody Status	Plymouth County Correctional Facility	Start Date	20/2003
Weapon		Substance		Prior Record	known

OFFENSES

Num	Offense	Code	Status	Status Date	ate
1	11/15/2002	94C/32A/C	Guilty plea	03/03/2004	04
	COCAINE, POSSESS TO DISTRIBUTE c94C s32A(c)				
2	11/15/2002	94C/32J	Dismissed	03/03/2004	04
	DRUG VIOLATION NEAR SCHOOL/PARK c94C s32J				
3	11/15/2002	94C/34/G	Filed (guilty plea)	03/03/2004	04
	DRUG, POSSESS CLASS D c94C s34				
4	11/15/2002	90/23/D	Guilty plea	03/03/2004	04
	LICENSE SUSPENDED, OP MV WITH c90 s23				

PARTIES

Plaintiff Commonwealth Gender: Unknown Active 02/14/2003	District Atty's Office 407660 Gerald C Pudolsky 32 Belmont Street Brockton, MA 02301 Phone: 508-584-8120 Fax: Active 03/06/2003 Notify
Defendant Shelton Terry 26.5 Lafayette Ave Apt #2 Buzzards Bay, MA 02532 DOB: 09/01/1975 Gender: Unknown Active 02/14/2003	Private Counsel 640902 Joseph F Krowski Jr 30 Cottage Street Brockton, MA 02301 Phone: 508-584-2555 Active 03/31/2003 Notify

ENTRIES

Date	Paper	Text
02/14/2003	1.0	Indictment returned
02/26/2003		Deft arraigned before Court
02/26/2003		RE Offense 1:Plea of not guilty
02/26/2003		RE Offense 2:Plea of not guilty
02/26/2003		RE Offense 3:Plea of not guilty

Commonwealth of Massachusetts
PLYMOUTH SUPERIOR COURT
Case Summary
Criminal Docket

PLCR2003-00079
Commonwealth v Terry, Shelton

Date	Paper	Text
02/26/2003		RE Offense 4:Plea of not guilty
02/26/2003		Bail set: \$30,000.00 Cash without prejudice
02/26/2003		Bail warning read
02/26/2003	2.0	Mittimus issued
02/26/2003		Continued until March 14, 2003 by agreement for ptc (Chin,J) B.StCharles, court reporter
03/05/2003	3.0	Appearance of Commonwealth's Atty: Gerald C Pudolsky
03/13/2003		Continued until March 20, 2003 by agreement for bail hearing and pre-trial conference (Chin,J.) T. Meany, court reporter
03/20/2003		Defendant's oral motion for a reduction of bail; Allowed (Borenstein,J)
03/20/2003		Bail reduced from \$30,000.00 to \$15,000.00 Cash on March 20, 2003 by (Borenstein,J)
03/20/2003	4.0	Special Mittimus on indictment issued
03/20/2003		Continued until May 16, 2003 for motions (Borenstein,J) T. Meany, court reporter
03/31/2003	5.0	Appearance of Krowski, Jr. for the defendant.
04/02/2003	6.0	Motion to withdraw (Kelliher)
05/16/2003		Continued until May 30, 2003 by agreement for status (Hely,J) T. Meany, court reporter
05/30/2003		Defendant's oral motion for reduction of bail DENIED (Hely,J) B. StCharles, court reporter
05/30/2003		Continued until June 25, 2003 by agreement for motion to suppress (Hely,J) B. StCharles, court reporter
06/25/2003		Case continued to August 11, 2003 by agreement for motion to suppress. (Chin, J.) T. Meany, court reporter
08/11/2003		Case continued to September 25, 2003 by agreement for discovery motions. Leo P. Foley, Asst. Clerk T. Meany, court reporter
09/25/2003		Continued until November 03, 2003 by agreement for motion to suppress (Walker,J) B. StCharles, court reporter
09/25/2003	7.0	Pre-trial conference report filed
10/02/2003	8.0	Defendant's motion to suppress evidence
11/03/2003		Motion (P#8) denied (see record for findings and rulings) (Paul E. Troy,Justice). Copies mailed
11/03/2003	9.0	Notice of intent to seek forfeiture
11/03/2003		Continued until December 8, 2003 by agreement for status (Troy,J.) T. Meany, court reporter
12/08/2003		Continued until January 13, 2004 by agreement for trial assignment (Walker,J.) T. Meany, court reporter
01/13/2004		Continued until February 23,2004 by agreement for Conference (Walker,J.) H.Duarte court reporter
02/23/2004		Case assigned to second session for trial (Ball,J) R. Griffin, court reporter
03/03/2004	10.0	Waiver of defendants' rights
03/03/2004		Notice pursuant to chapter 278, section 29D
03/03/2004		Notice re: DNA sample.

Commonwealth of Massachusetts
PLYMOUTH SUPERIOR COURT
Case Summary
Criminal Docket

PLCR2003-00079
Commonwealth v Terry, Shelton

Date	Paper	Text
03/03/2004		Pleads guilty all counts
03/03/2004		Re: offense (001) defendant sentenced to (27) months at Plymouth House of Correction. Re: offense (004) defendant sentenced to (1) year Plymouth House of Correction concurrent with (001). Re: offense (002) Dismissed by Order of the Court at the request of the Commonwealth. Re: offense (003) Filed by Order of the Court with consent of the deft. (473 days credit.) (Giles, J.) T. Meany, court reporter
03/03/2004		\$90.00 victim/witness fee imposed
03/03/2004		\$150.00 drug assessment fee imposed
03/03/2004	11.0	Commonwealth's list of witnessess.
03/03/2004	12.0	Abstracts sent to Registry of Motor Vehicles.
03/03/2004		Notice of intent to seek forfeiture, allowed. (motion #9) (Giles, J.)
03/03/2004	13.0	Re: (001) Warrant for commitment
03/03/2004	14.0	Re: (004) Warrant for commitment
03/03/2004	15.0	Order re: Forfeiture
03/08/2004		Warrant for commitment returned with service.
03/08/2004		\$90.00 victim-witness fee paid.
03/08/2004		\$150.00 drug assessment fee paid.

EVENTS

Date	Session	Event	Result
02/26/2003	Criminal 1 - CtRm 1 (Brockton)	Arraignment	Event held as scheduled
03/14/2003	Criminal 1 - CtRm 1 (Brockton)	Conference: Pre-Trial	Event not held--joint request
03/20/2003	Criminal 1 - CtRm 1 (Brockton)	Hearing: Misc Matters	Event held as scheduled
05/16/2003	Criminal 1 - CtRm 1 (Brockton)	bail hearing & pre trial conference report	Event not held--joint request
05/30/2003	Criminal 1 - CtRm 1 (Brockton)	Hearing: Motion	Event held as scheduled
06/25/2003	Criminal 1 - CtRm 1 (Brockton)	Status: Review by Session by agreement	Event not held--joint request
08/11/2003	Criminal 1 - CtRm 1 (Brockton)	Hearing: Motion to suppress	Event not held--joint request
09/25/2003	Criminal 1 - CtRm 1 (Brockton)	Hearing: Motion to suppress	Event held as scheduled
11/03/2003	Criminal 1 - CtRm 1 (Brockton)	Hearing: Motion for discovery	Event held as scheduled
12/08/2003	Criminal 1 - CtRm 1 (Brockton)	Hearing: Motion to suppress	Event held as scheduled
01/13/2004	Criminal 1 - CtRm 1 (Brockton)	Status: Review by Session	Event not held--joint request
02/23/2004	Criminal 1 - CtRm 1 (Brockton)	Conference: Trial Assignment	Event not held--joint request
03/03/2004	Criminal 2 - CtRm 2 (Brockton)	Conference: Trial Assignment	Event held as scheduled
03/03/2004	Criminal 2 - CtRm 2 (Brockton)	TRIAL: jury waived	Trial begins
03/03/2004	Criminal 2 - CtRm 2 (Brockton)	TRIAL: jury waived	Trial ends